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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

PAMELA PHELPS,	)	
	)	
Plaintiff,	)	
	)	Civil No. 04-1657-PK
v.	)	
	)	
JO ANNE B. BARNHART,	)	O R D E R
Commissioner of Social Security,	)	
	)	
Defendant.	)	
_____	)	

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KING, Judge:

The Honorable Paul Papak, United States Magistrate Judge, filed Findings and Recommendation on December 20, 2006. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Papak's Findings and Recommendation (#40).

IT IS HEREBY ORDERED that the decision of the Commissioner is REVERSED. The case is REMANDED for a finding of disability.

DATED this 5<sup>th</sup> day of January, 2007.

  
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GARR M. KING  
United States District Judge